

wherein  $[n]$   $m$  is,  $X^1$  is  $C\equiv CF_3$  or  $OCHF_2$ ,

$X^2$  is  $(C_1-C_4)$ alkoxy, and  $R^6$  is phenyl optionally substituted with a substituent selected from  $(C_1-C_4)$ alkyl,  $(C_1-C_4)$ alkoxy, fluorine and chlorine.

#### Remarks

It is believed that the above amendments are fully responsive to the Examiner's rejections. As previously discussed in a teleconference with the Examiner, the subject matter of Claims 58-59 was the subject to a PTO search, notwithstanding that those claims are broader than claim 36 (6-membered ring only). It was agreed that Claims 58-59 could remain in the issued patent. Each of claims 58 and 59 has been made independent by incorporating, exactly, the text of allowed claim 36, but without being limited to the structure shown in Claim 33. It is not understood what the Examiner meant on the last line of Page 2 of the Official Action to the effect that "X" was not defined. However, it was noted that "n" in the claim term  $(CH_2)_n$  needed to be changed to "m". The Examiner is welcome to contact the undersigned if any requirements remain unaddressed. The cancellation from the claims of any subject matter by the above amendments is without prejudice to the filing of one or more continuation or divisional applications.


Conclusion

The Examiner's efforts in support of the application are appreciated, and are hereby acknowledged. No claim fees are due for converting dependent claims 58-59 into independent claims, since independent claims 34-35 (previously paid for) were earlier cancelled and no new claims were added at that time (Amendment of April 22, 2002). A Petition for Extension of Time (3 months, in duplicate) is attached. If any additional fee is needed for acceptance of this Reply, such may be charged to **Deposit Account 16-1445**. The Examiner's efforts in support of the application are appreciated and are hereby acknowledged.

Respectfully submitted,

Date: \_\_\_\_\_

1/16/03

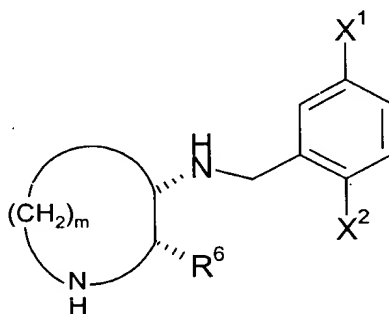
  
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Marked-Up Copy of Amendments Showing Changes Presented Herewith

58. (Marked-up) A method for treating or preventing a condition selected from the group consisting of inflammatory diseases, anxiety, colitis, depression or dysthymic disorders, psychosis, pain, gastroesophageal reflux disease, allergies, chronic obstructive airways disease, hypersensitivity disorders, vasospastic diseases, fibrosing and collagen diseases, reflex sympathetic dystrophy, addiction disorders, stress related somatic disorders, peripheral neuropathy, neuralgia, neuropathological disorders, disorders related to immune enhancement or suppression, and rheumatic diseases in a mammal, comprising administering to a mammal in need of such treatment or prevention, a pharmaceutical composition that comprises a compound of the formula.

[The method of claim 36, wherein the compound of said pharmaceutical composition has the formula]



wherein [n] m is an integer from 2 to 4, X<sup>1</sup> is hydrogen or (C<sub>1</sub> -C<sub>4</sub>)alkyl, X<sup>2</sup> is OCF<sub>3</sub> or OCHF<sub>2</sub>, and R<sup>6</sup> is phenyl optionally substituted with a substituent selected from (C<sub>1</sub> -C<sub>4</sub>)alkyl, (C<sub>1</sub> -C<sub>4</sub>)l-C<sub>4</sub>)alkoxy, fluorine and chlorine.

59. (Marked-up) A method for treating or preventing a condition selected from the group consisting of inflammatory diseases, anxiety, colitis, depression or dysthymic disorders, psychosis, pain, gastroesophageal reflux disease, allergies, chronic obstructive airways disease, hypersensitivity disorders, vasospastic diseases, fibrosing and collagen diseases, reflex sympathetic dystrophy, addiction disorders, stress related somatic disorders, peripheral neuropathy, neuralgia, neuropathological disorders, disorders related to immune enhancement or suppression, and rheumatic diseases in a mammal, comprising administering to a mammal in need of such treatment or prevention, a pharmaceutical composition that comprises a compound of the formula.

[The method of claim 36, wherein the compound of said pharmaceutical composition has the formula]